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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,651	08/28/2003	Isao Aoki	P23580	6941
7055 7590 03/21/2008 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191				
EXAMINER				
FRENEL, VANEL				
ART UNIT		PAPER NUMBER		
3687				
NOTIFICATION DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com
pto@gbpatent.com

Office Action Summary

Application No.

10/649,651

Applicant(s)

AOKI, ISAO

Examiner

VANEL FRENEL

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date 20031203; 20040730; 20070712; 20070810
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Notice to Applicant

1. This communication is in response to Application filed on 8/28/03. Claims 1-36 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al.(7,188,137) in view of Zucknovich et al. (5,940,843).

(A) As per claim 1, Inoue discloses a network system comprising: a plurality of processing apparatuses having document processing functions (See Inoue, Col.5, lines 23-67); a plurality of client apparatuses instructing one of the processing apparatuses to execute a necessary job (See Inoue, Col.13, lines 39-67; Col.14, lines 49-67); and a server apparatus, all of said apparatuses being mutually connected on a network, wherein said server apparatus comprises a collection recorder that collects (See Inoue, Col.19, lines 58-65), from said processing apparatus, information about a job executed by said processing apparatus and records the information as job data (See Inoue, Col.24, lines 34-67 to Col.25, line 16).

Inoue does not explicitly disclose that a count processor that executes a count process according to a count condition specified by said client apparatus, based on the job data, and wherein a browser is installed to said client apparatus in order to specify the count condition, instruct an execution of the count process, and view a count result generated by the count process.

However, this feature is known in the art, as evidenced by Zucknovich. In particular, Zucknovich suggests a count processor that executes a count process according to a count condition specified by said client apparatus, based on the job data (See Zucknovich, Col.13, lines 43-67), and wherein a browser is installed to said client apparatus in order to specify the count condition, instruct an execution of the count process, and view a count result generated by the count process (See Zucknovich, Col.21, lines 13-46).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Zucknovich within the system of Inoue with the motivation of providing a system for controlling the distribution of electronic information based on, in part, an identified relationship between the electronic information provider (See Zucknovich, Col.2, line 31-35).

(B) As per claim 2, Inoue discloses the network system wherein, the count processor of said server apparatus executes a count process by classifying job data to be counted, according to a count type chosen and specified by said client apparatus, the count type being chosen from a prearranged plurality of count types (See Inoue Col.20,

lines 51-67; Col.27, lines 35-54).

(C) As per claim 3, Inoue discloses the network system wherein the count type is used when counting jobs by groups of said processing apparatuses and said client apparatuses, and wherein jobs executed by a processing apparatus of a certain group and job data related to jobs instructed by a client apparatus of the certain group are to be counted for each group (See Inoue, Col.23, lines 40-67).

(D) As per claim 4, Inoue discloses the network system wherein the count type is used when counting jobs by users who operate said client apparatuses, and wherein job data related to jobs instructed by a certain user are to be counted for each user (See Inoue, Fig.18, Col.22, lines 31-63; Col.25, lines 35-67).

(E) As per claim 5, Inoue discloses the network system wherein the count type is used when counting jobs by said processing apparatuses, and wherein job data related to jobs executed by a certain processing apparatus are to be counted for each processing apparatus (See Inoue, Fig.16; Col.20, lines 1-40).

(F) As per claim 6, Inoue discloses the network system wherein the count type is used when counting jobs by job types, and wherein job data related to jobs within a certain job type are to be counted for each job type (See Inoue, Col.20, lines 26-67).

(G) As per claim 7, Inoue discloses the network system wherein the count processor of said server apparatus executes a count process by narrowing down job data for counting, based on a count period specified by said client apparatus (See Inoue, Col.25, lines 35-67).

(H) As per claim 8, Inoue discloses the network system wherein the count processor of said server apparatus executes a count process by narrowing down job data for counting, based on a count range selected, from a plurality of prearranged selections of count items, by said client apparatus (See Inoue, Col.25, lines 35-67).

(I) As per claim 9, Inoue discloses the network system wherein the count items include a group, a user, a job type, a processing apparatus, and a paper size (See Inoue, Col.23, lines 53-67).

(J) As per claim 10, Inoue discloses the network system wherein the count processor of said server apparatus generates a count result that includes a numeric value stored in job data, and fee information calculated based on a unit usage fee set for each job (See Inoue, Col.25, lines 35-67).

(K) As per claim 11, Inoue discloses the network system wherein the unit usage fee is set based on the instruction given by said client apparatus in a manager mode (See Inoue, Fig. 1; Col.5, lines 23-45).

(L) As per claim 12, Inoue discloses the network system wherein, when performing a remote process where a certain job executed by using a processing apparatus within a group different from a normal group to which said client apparatus belongs (See Inoue, Col.6, lines 5-18), the count processor of said server apparatus executes the a count process by incorporating fee information of the job into the normal group (See Inoue, Col.6, lines 31-67).

(M) As per claim 13, Inoue discloses a server apparatus connected, on a network, to a plurality of processing apparatuses having document processing functions and a plurality of client apparatuses instructing one of the processing apparatuses to execute a necessary job (See Inoue, Col.13, lines 39-67; Col.14, lines 49-67); the server apparatus comprising: a collection recorder that collects, from the processing apparatus (See Inoue, Col.19, lines 58-65), information about a job executed by the processing apparatus and records the information as job data;(See Inoue, Col.24, lines 34-67 to Col.25, line 16).

Inoue does not explicitly disclose a count processor that executes a count process according to a count condition specified by said client apparatus, based on the job data, and wherein a browser is installed to the client apparatus in order to specify

the count condition, instruct an execution of the count process, and view a count result generated by the count process.

However, this feature is known in the art, as evidenced by Zucknovich. In particular, Zucknovich suggests a count processor that executes a count process according to a count condition specified by said client apparatus, based on the job data, and wherein a browser is installed to the client apparatus in order to specify the count condition, instruct an execution of the count process, and view a count result generated by the count process (See Zucknovich, Col.21, lines 13-46).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Zucknovich within the system of Inoue with the motivation of providing a system for controlling the distribution of electronic information based on, in part, an identified relationship between the electronic information provider (See Zucknovich, Col.2, line 31-35).

(N) As per claim 25, Inoue discloses a network management program for a server apparatus connected, on a network, to a plurality of processing apparatuses having document processing functions, and a plurality of client apparatuses instructing one of the processing apparatuses to execute a necessary job (See Inoue, Col.13, lines 39-67; Col.14, lines 49-67), the program comprising: a step for collecting and recording, from the processing apparatus, information about a job executed by the processing apparatus and records the information as job data (See Inoue, Col.24, lines 34-67 to Col.25, line 16).

Inoue does not explicitly disclose a step for executing a count process according to a count condition specified by the client apparatus, based on the job data (See Zucknovich, Col.13, lines 43-67), and wherein a browser is installed to the client apparatus in order to specify the count condition and instruct an execution of the count process during said step for executing a count process, and view a count result generated by the count process (See Zucknovich, Col.21, lines 13-46).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Zucknovich within the system of Inoue with the motivation of providing a system for controlling the distribution of electronic information based on, in part, an identified relationship between the electronic information provider (See Zucknovich, Col.2, line 31-35).

(O) Claims 14-24 and 26-36 recite the underlying process steps of the elements of claims 2-12, respectively. As the various elements of claims 2-12 and have been shown to be either disclosed by or obvious in view of the collective teachings of Inoue and Zucknovich, it is apparent that the apparatus disclosed by the applied prior art performs the recited underlying steps. As such, the limitations recited in claims 14-24 and 26-36 are rejected for the same reasons given above for claims 2-12, and incorporated herein.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not the applied art teaches system and method for preparing customized printed products over a communications network (6,535,294).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VANEL FRENEL whose telephone number is (571)272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Vanel Frenel/

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March 1, 2008